

MEETINGS TO DATE 14
NO. OF REGULARS 14
NO. OF SPECIALS 0

LANCASTER, NEW YORK
JULY 16, 1984

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 16th day of July, 1984, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE
ROBERT L. LANEY, BUILDING INSPECTOR
MALCOLM J. FRANCIS JR., ASSESSOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:10 P.M. the Town Board held a Public Hearing to hear all interested persons upon the proposed amendment to the Code of the Town of Lancaster thereby enacting Local Law No. 1 of the Year 1984 as a new Chapter 20 to be entitled "Uniform Fire Prevention and Building Code".

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

QUESTIONS:

Robert Young
5528 Broadway
Lancaster, New York

Edith Fuldauer
12 Clark Street
Lancaster, New York

PROPOSERS:

NONE

OPPOSERS:

NONE

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:20 P.M.

The Town Board later in the meeting adopted a resolution hereinafter spread at length in these minutes adopting and enacting Local Law No. 1 of 1984.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Czapla for the Police and Safety Committee asked the Town Clerk to check on the maximum weight limits permissible on the following Town highways: Botimer St., Markey Avenue, Summit St., Edward St., Steinfeldt Road.

Councilman Czapla for the Police and Safety Committee presented to the Board photographs of flooding along Aurora Street south of William Street. The Supervisor agreed to bring the matter to the attention of the County Superintendent of Public Works.

Councilman Kwak for the Drainage Committee asked the Town Clerk to write a letter to Marrano Enterprises relative to finalizing the acceptance of the retention basins in Heritage Hills Subdivision and Country View East Subdivision.

Councilman Kwak for the Highway Committee asked the Chief of Police to inspect the 'Dead End' street barricades on all Town roads to assure that the barricades are in compliance with the State manual of Uniform Traffic Control devices.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
July 2, 1984, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, heretofore the Erie County Water Authority entered into
Agreements with the Town Board of the Town of Lancaster, acting as Water
Commissioners for the following Water Districts and Extensions:

Water District No. 1 and its Extensions
Water District No. 2 and its Extensions
Water District No. 3 and its Extensions
Water District No. 4 and its Extensions
Water District No. 5 and its Extensions
Water District No. 7 and its Extensions
Water District No. 8 and its Extensions; and
Master Water Improvement Area

for the sale and distribution of water to the customers in said districts and
extensions in the Town of Lancaster whereby the Authority agreed to manage and
operate said districts and extensions, which by said agreements were leased to
the Authority for that purpose, treating each of the customers therein as retail
customers and charging to the customers therein for the sale of water the same
rates and charges as are imposed on other customers throughout the Authority's
territory not under lease-management, and

WHEREAS, said agreements were to expire unless a written notice of
intent to renew said agreements for a successive five-year period was given to
the other party, and

WHEREAS, it is the desire of the Authority and the Town Board of the
Town of Lancaster, acting as Water Commissioners, to renew said agreements for
an additional period with a common expiration date of August 1, 1989, with
certain modifications in the agreements set forth in a resolution of the Erie
County Water Authority, dated July 12 , 1984, which the Town Attorney reviewed
and found acceptable, and

WHEREAS, it is in the public interest to renew said Lease-Management Agreements for said Lancaster Water Districts and Extensions and Master Water Improvement Area, for the five-year term hereinbefore referred to,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, acting as Water Commissioners for the following Water Districts and Extensions:

Water District No. 1 and its Extensions
Water District No. 2 and its Extensions
Water District No. 3 and its Extensions
Water District No. 4 and its Extensions
Water District No. 5 and its Extensions
Water District No. 7 and its Extensions
Water District No. 8 and its Extensions; and
Master Water Improvement Area

hereby elects to renew said Agreements for an additional period, having a renewal date of August 1, 1984, upon the terms and conditions as contained in the original Agreements, as modified by the modifications set forth in the resolution of the Erie County Water Authority, dated July 12, 1984, and with a common expiration date of August 1, 1989, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and hereby is directed to forward a certified copy of this resolution to the Erie County Water Authority.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated July 13, 1984, has recommended to the Town Board the appointment of ARLENE T. MERTZLUFFT, 29 Irwinwood Road, Lancaster, New York, 14086, to the position of Senior Clerk Typist in the Police Department of the Town of Lancsater, effective July 17, 1984, and

WHEREAS, the Personnel Officer of the County of Erie, by notification dated July 8, 1984, has informed the Supervisor of the Town of Lancaster that ARLENE T. MERTZLUFFT has qualified for appointment to the position of Senior Clerk Typist,

NOW, THEREFORE, BE IT RESOLVED

AS FOLLOWS:

1. That ARLENE T. MERTZLUFFT, 29 Irwinwood Road, Lancaster, New York, 14086, be and is hereby appointed to the position of Senior Clerk Typist in the Police Department of the Town of Lancaster, effective July 17, 1984, at a salary of \$15,330.00 per year, and

2. That the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor for submission to the Erie County Department of Personnel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, proposed Local Law No. 1 of the Year 1984, entitled "Uniform Fire Prevention and Building Code", which provides for standards for fire prevention and building construction and administration and enforcement thereof, was introduced to the Town Board on July 2, 1984, by Councilman Czapla, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on July 16, 1984, for the purpose of the repeal of Chapter 9, entitled "Building Construction" and Chapter 20, entitled "Fire Prevention", of the Code of the Town of Lancaster, and adopting and enacting a local law to be known as Local Law No. 1 of the Year 1984, entitled "Uniform Fire Prevention and Building Code" as Chapter 20 of the Code of the Town of Lancaster, in place thereof,

NOW, THEREFORE, BE IT

RESOLVED, that Chapter 9, entitled "Building Construction" and Chapter 20, entitled "Fire Prevention" of the Code of the Town of Lancaster be and hereby are repealed and that Local Law No. 1 of the Year 1984, entitled "Uniform Fire Prevention and Building Code" to be known as Chapter 20 of the Code of the Town of Lancaster, be and hereby is enacted by the Town Board of the Town of Lancaster, as follows:

TOWN OF LANCASTER
Erie County, New York

Local Law No. 1 of the Year 1984

UNIFORM FIRE PREVENTION AND BUILDING CODE
At

A Local Law to enact the New York State Uniform Fire Prevention and Building Code in and for the Town of Lancaster and to provide for enforcement of that Code.

Be it enacted by the Town Board of the Town of Lancaster, New York, as follows:

UNIFORM FIRE PREVENTION AND BUILDING CODE

Chapter 20

UNIFORM FIRE PREVENTION AND BUILDING CODE

- §20-1. Legislative Intent.
- §20-2. Definitions.
- §20-3. Applicability; effective date; severability.
- §20-4. Enforcement; Fire Inspectors; inspections, rules and regulations.
- §20-5. Permits; fees.
- §20-6. Compliance required; violation orders; abatement.
- §20-7. Penalties for offenses.
- §20-8. Records.
- §20-9. Dangerous or unsafe buildings or structures.
- §20-10. Appeals; Board of Review.

§20-1 Legislative Intent.

This Local Law is adopted to enact the New York State Uniform Fire Prevention and Building Code in and for the Town of Lancaster and to provide for enforcement of that Code.

§20-2 Definitions.

Code - Shall mean New York State Uniform Fire Prevention and Building Code.

§20-3 Applicability; effective date; severability.

- A. Applicability. This Local Law shall provide the basic method for administration and enforcement of the Code in the Town of Lancaster and shall establish powers, duties and responsibilities in connection therewith.
- B. Effective date. This Local Law shall take effect on the 1st day of August, 1984.
- C. Partial invalidity. If any part of this Local Law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder thereof.

§20-4 Enforcement; Fire Inspectors; inspections; rules and regulations.

- A. Enforcement. The Building Inspector of the Town of Lancaster shall be charged with the duty of enforcing the Code. He shall make periodic inspections for compliance with the provisions of such Code with the aid of Fire Inspectors as designated herein. The Building Inspector may also designate authorized representatives to enforce provisions of the Code and this Local Law.
- B. Fire Inspectors. The Town Board hereby establishes the position of Fire Inspector. Each of the fire companies providing fire protection services to the Town of Lancaster shall nominate a Fire Inspector to the Town Board and the Town Board shall appoint said Fire Inspectors for such terms of office as the Town Board shall determine. Fire Inspectors shall reside within the boundaries of the Town of Lancaster.
- C. Inspections.
 - (1) Duties of Fire Inspectors:
 - (a) Fire Inspectors shall be responsible for making inspections within their respective protection area and shall aid the Building Inspector in making inspections on a periodic basis for compliance with the provisions of the Code.
 - (b) Reports shall be made to the Building Inspector of the Town of Lancaster on any and all inspected premises where a permit is necessary as determined by the permit section of the local law herein.
 - (c) Any and all violations of the Code shall be reported immediately upon discovery by the Fire Inspectors to the Building Inspector.
 - (d) All places used for public assembly shall be inspected on an annual basis or as necessary under this local law.
 - (e) The Fire Inspectors shall further inspect annually or as necessary any activity or operation for which a permit is issued under this local law.

- (f) Fire Inspectors shall inspect all fire damaged structures and report any suspected violations of the Code to the Building Inspector.

(2) Entrance to property:

- (a) Inspection may be made at any reasonable time.
- (b) If entrance to make an inspection is refused or cannot be obtained, the Building Inspector may apply to any court of competent jurisdiction for a warrant to make an inspection.
- (c) In case of emergency, property may be inspected at any time without a warrant and without permission.

D. Rules and regulations. The Building Inspector of the Town-Lancaster may adopt rules and regulations for the regulation and enforcement of the Code, this local law or any other provision of law to be promulgated by the Town Board.

§20-5

Permits; fees.

A. Permits:

- (1) Applications for permits under this local law shall be made to the Building Inspector of the Town of Lancaster with payment of the required permit fee to the Town Clerk. Upon approval of the permit application, the Building Inspector shall issue a permit to the applicant, which permit shall specify:
 - (a) Activity or operation for which the permit is issued.
 - (b) Address and location where the activity or operation is to be conducted.
 - (c) Name and address of the permittee.
 - (d) Permit number and date of issuance.
 - (e) Period of permit validity.
- (2) Transferability. Permits shall not be transferable, and any change in activity, operation, location, ownership, or use shall require a new permit.
- (3) Permit term. Permits shall be valid for a period of time to be designated at the time of issuance by the Building Inspector and shall, in any case, be valid for no longer than one (1) year or until revoked by the Building Inspector for transfer violation, as defined in Subsection A(2) of this section, or destruction of the premises.
- (4) Permits shall be required for the following operations and/or materials, as well as for those enumerated in the Code:

Acetylene generator

Auto tire rebuilding plant

Auto wrecking yard

Auto undercoating

Bonfires and rubbish, upon prior approval of state and county agencies

Bowling establishments

Calcium carbide storage

Cellulose nitrate motion-picture film

Cellulose nitrate (pyroxylin) plastics

Combustible fibers:

(a) Loose.

(b) Baled.

Combustible materials

Compressed gases:

(a) Bulk oxygen.

(b) Hydrogen.

(c) Flammable anesthetics.

(d) Nonflammable medical gases.

(e) Anhydrous ammonia.

Cryogenic liquids

Dip tanks

Dry-cleaning plants

Dust (commercial activity)

Explosives, ammunition and blasting agents

Flammable and combustible liquids and finishes:

(a) Spray finishes.

Fruit-ripening gases

Fuel oil systems (commercial)

Fumigants and thermal insecticidal fogging liquids

Hazardous chemicals:

(a) Corrosive liquids.

(b) Flammable solids.

(c) Highly toxic materials.

(d) Oxidizing materials.

(e) Poisonous gases.

(f) Radioactive materials.

(g) Unstable chemicals.

Junkyards

Liquified petroleum gas containers and tanks

Lumber yards

Magnesium

Matches (production or storage)

Organic coatings

Organic peroxides

Ovens (commercial)

Places of assembly

Service stations and garages:

(a) Storage and handling of motor vehicle fuel.

(b) Dispensing motor vehicle fuel.

Underground tanks

Welding and cutting:

(a) Oxygen-fuel gas.

(b) Electric arc.

- (5) Location. Permits shall be conspicuously posted on the premises covered by the permit.
- (6) Revocation. Permits may be revoked when it is determined that there is a violation of any condition under which the permit is issued or where there has been misrepresentation or falsification of material facts in connection with the permit application.
- B. Special permits. When hazardous situations are encountered for conditions not otherwise regulated, special permits may, based on applicable data, be required for the duration of the hazard.
- C. Fees. The fee for each permit required shall be in the amount of ten dollars (\$10.). Where there is more than one (1) permitted use for a property or premises, the fee for each permit shall be ten dollars (\$10.) to a maximum of fifty dollars (\$50.) for such consolidated permit.

§20-6

Compliance required; violation orders; abatement;

- A. A person owning, operating, occupying or maintaining property or premises within the scope of the Code or this local law shall comply with all the provisions of the Code, this local law and all orders, notices, rules, regulations or determinations issued in connection therewith.
- B. Whenever the Building Inspector finds that there has been a violation of the Code, this local law or any rule or regulation adopted pursuant to this local law, a violation order shall be issued to the person or persons responsible.
- C. Violation orders shall be in writing, shall identify the property or premises, shall specify the violation and remedial action to be taken, shall provide a reasonable time limit for compliance and shall state the time within which an appeal may be taken.
- D. Violation orders may be served by personal service, by mailing by registered or certified mail or by posting a copy thereof in a conspicuous place on the premises and by mailing a copy thereof to the premises on the same day as posted, enclosed in a postpaid wrapper, addressed to the person responsible.
- E. In case the owner lessor, occupant or the agent of any of them shall fail, neglect or refuse to remove, eliminate or abate the violation within the time specified in the violation of the order, the chief legal officer of the Town of Lancaster shall be requested to take appropriate legal action.

§20-7 Penalties for offenses.

- A. Failure to comply with any provision of the Code, this local law, rules or regulations adopted pursuant to this local law or a violation order shall be deemed a violation, and the violator shall be liable for a fine of not more than two hundred fifty dollars (\$250.) or imprisonment not to exceed fifteen (15) days, or both, and each day such violation continues shall constitute a separate violation.
- B. An action or proceeding in the name of the Town of Lancaster may be commenced in any court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of the Code, this local law, rule or regulation adopted pursuant to this local law or a violation order to vacate the occupancy or building in the case of imminent danger to life or property. Such remedy shall be in addition to penalties otherwise prescribed by law.

§20-8 Records.

The Building Inspector shall keep official records of all permits, inspection reports, recommendations, complaints and violation orders.

§20-9 Dangerous or unsafe buildings or structures.

- A. The Building Inspector may address dangerous or unsafe buildings or structures pursuant to the Code and the terms of this local law.
- B. A building or structure, or part thereof, which is an imminent danger to life and safety of the public as a result of a fire or explosion is hereby declared to be a public nuisance.
- C. Whenever the Fire Inspector finds a building or structure or part thereof, to be an imminent danger to life and safety of the public as a result of a fire or explosion, the Fire Inspector shall report the same to the Building Inspector, and the Building Inspector may cause it to be demolished and removed or may cause work to be done in and about the building or structure as may be necessary to remove the danger.
- D. The Building Inspector may require the occupants of any such building or structure, or part thereof, to vacate the premises forthwith. No person shall use or occupy such building or structure, or part thereof, until it is made safe. Except for the owner, no person shall enter the premises which have been ordered vacated unless authorized to perform inspections or repairs or to demolish and remove such building or structure, or part thereof.
- E. All costs and expenses incurred by the Town of Lancaster in connection with any work done to remove the danger or in connection with the demolition and removal of any such building or structure shall be assessed against the land on which such building or structure is located, and a bill for such expenses shall be presented to the owner of the property, or if the owner cannot be ascertained, then such bill shall be posted in a conspicuous place on the premises. Such assessment shall be and constitute a lien upon such land. If the owner shall fail to pay for such expenses within ten (10) days after the bill is presented or posted, the chief legal officer of the Town of Lancaster may bring an action to collect such assessment or to foreclose such lien.

As an alternative to the maintenance of any such action, the Building Inspector may file a certificate of the actual expenses incurred as aforesaid, together with a statement identifying the property in connection with which the expenses were incurred, and the owner thereof, with the Assessor, who shall in the preparation of the next assessment roll assess such amount upon such property. Such amount shall be included in the levy against such property, shall constitute a lien and shall be collected, and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as is provided by law for the collection and enforcement of real property taxes in the Town of Lancaster.

§20-10. Appeals; Board of Review.

- A. Pursuant to Section 440 of the Code, variances or review of local determinations will be heard and decided by a Board of Review as established in said Code.

and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 1984 on the Town Bulletin Board.
2. Within ten (10) days, publish a certified copy of the Local Law or abstract thereof describing the same in general terms in the Lancaster Bee, hereby declared the official newspaper for this publication, and
3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 1984, with all proofs of publication and posting required for adoption, and
4. File certified copies of the Local No. 1 of the Year 1984 within five (5) days of adoption with:
 - (a) Town Clerk's Office
 - (b) One (1) copy with office of the State Comptroller, and
 - (c) Four (4) copies with office of the Secretary of State.

This resolution shall take effect August 1, 1984 and be the only post publication and filing required for adoption of Local Law No. 1 of the Year 1984.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

July 16, 1984

LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW NO. 1
OF THE YEAR 1984
TOWN OF LANCASTER

PLEASE TAKE NOTICE that Chapter 9, "Building Construction" and Chapter 20, "Fire Prevention", of the Code of the Town of Lancaster have been repealed and that Local Law No. 1 of the Year 1984, entitled "UNIFORM FIRE PREVENTION AND BUILDING CODE", to be known as Chapter 20 of the Code of the Town of Lancaster, be and hereby is enacted by the Town Board of the Town of Lancaster, Erie County, New York, on July 16, 1984, which Law is briefly described as follows:

"A Local Law governing the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and providing for appointment of Fire Inspectors, the process of inspections, the issuance of permits and setting of permit fees, the procedure to be followed with respect to violations and abatement of same, and also further provides for the demolition of dangerous or unsafe buildings and creates a Board of Review for appeal purposes for an aggrieved person.

Said Local Law also provides for penalties and fines for violations of the proposed Law."

July 16, 1984

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in said County of Erie, have compared the foregoing copy of NOTICE OF ADOPTION OF LOCAL LAW NO. 1 OF THE YEAR 1984, with the original thereof filed in my office at Lancaster, New York, on the 16th day of July, 1984, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 23rd day of July, 1984.

Robert P. Thill, Town Clerk
and Registrar of Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board, by letter dated
July 12, 1984, has recommended the appointment of certain individuals to
the Town of Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership
of the Town of Lancaster Ambulance Corps:

Gregory J. Galdon
14 Brady Avenue
Lancaster, N.Y. 14086

Michael Weremblewski
461 Aurora Street
Lancaster, N.Y. 14086

Robert A. Krauss
39 Doris Avenue
Lancaster, N.Y. 14086

Deborah Ann Wojtkowski
167 Gould Avenue
Depew, N.Y. 14086

Thomas Lons
3518 Bowen Road
Lancaster, N.Y. 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Supervisor by letter dated July 13, 1984, has recommended
in view of David Brown's continued progress, an upgrading to 100% of full
salary in a period of less than stated in the Town Board resolution adopted on
February 26, 1979, wherein the Town Board set forth a maximum escalation
schedule of two and one-half years for new employees;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes a salary increment to 100% of full salary for David Brown in the
Office of the Supervisor of the Town of Lancaster, effective July 16, 1984,
said salary being \$17,293.00 per year.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Stephen Amusements, Inc., owners and operators of the Wehrle Drive-In Theatre, 6729 Transit Road, Lancaster, New York have submitted a renewal application for a license to operate a drive-in theatre within the Town of Lancaster, for the period July 30, 1984 to July 30, 1985, and

WHEREAS, the Town Clerk has informed the Town Board that the necessary license fee and security deposit has been filed with his office, and

WHEREAS, the Building Inspector has reviewed the application and indicated no objection to the issuance of a license to said applicant,

NOW, THEREFORE, BE IT

RESOLVED, that Stephen Amusements, Inc., owners and operators of the Wehrle Drive-In Theatre, 6729 Transit Road, Lancaster, New York be and is hereby authorized to operate a drive-in theatre within the Town of Lancaster, New York for the period July 30, 1984 to July 30, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Jones Intercable, Inc., successor to Global Cable TV, the Franchisee for cable tv system within the Town of Lancaster has provided a Franchise Bond No. 19542,400225 from Aetna Casualty & Surety Company, under the terms of the Franchise Agreement, meeting all requirements of said Agreement, and

WHEREAS, Global Cable TV previously provided a Franchise Bond No. 021164 which met the terms and conditions of the Franchise Agreement, and

WHEREAS, the original bond issued under Global Cable TV's name cannot be located and the Town of Lancaster desires to release Jones Intercable, Inc., from all obligations warranted by the original Global Cable TV Franchise Bond No. 021164;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute under Corporate Seal a certificate releasing Jones Intercable, Inc. from all obligations warranted by Global Cable TV Franchise Bond No. 021164.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN MILLER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 6179 to 6268 Incl.	\$117,299.84
Part Town Fund	No. 974 to 980 Incl.	\$ 1,780.84
Highway Fund	No. 2463 to 2482 Incl.	\$ 16,598.41
Special District Fund	No. 745 to 748 Incl.	\$ 12,760.05
Trust & Agency Fund	No. 782 to 784 Incl.	\$ 3,283.05
Capital Fund	No. 711 to 711 Incl.	\$ 130.00

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 2, 1984

THE FOLLOWING RESOLUTION WAS OFFERED,
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT;

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
157	M/M Pasquale Marrano	265 Marrano Dr.	ER. FENCE
158	M/M Adam Protas	20 Heritage Dr.	ER. FR. DECK
159	Lee M. Stottele	1 Fox Hunt Rd.	ER FR. FENCE, DECK
160	Raymond Taylor	339 Iroquois Ave.	REMOD. FR. SIN. DWLG
161	James Helm	3464 Bowen Rd.	EXT. FR. SIN. DWLG
162	Marrano/Marc Equity	265 Warner Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
163	Complete Home Imp.	36 Fox Hunt Rd.	EXT. FR. SIN. DWLG
164	George Kohlbrenner	316 Westwood Rd.	ER. FR. SIN. DLWG, PVT. GARAGE
165	Thomas J. Kudla	1148 Town Line Rd.	ER. FR. GAZEBO
166	M/M Kubisty	9 Old Post Rd.	EXT. FR. SIN. DWLG
167	Gordon Timm	4 Idlebrook Ct.	ENCL. PATIO ROOF
168	Sunshine Rec. Prod.	948 Town Line Rd.	ER. POOL
169	Wm. Martin	5740 Broadway	ER. POOL
170	Pomz Construction	737 Schwartz Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
171	Brian Kyeutzer	11 Deerpath Dr.	ER. FR. DECK
172	M/M James Palano	7 Idlebrook Ct.	ER. SHED

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted

July 2, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by resolution adopted on March 11, 1984, has proposed to the Town Board, that the replacement of Vehicle No. 802 be accelerated and that the Town Board obligate the Town of Lancaster, by bond resolution, to purchase a new vehicle and sell Vehicle No. 802, applying the proceeds therefore towards the purchase price, and

WHEREAS, in consideration of the acceleration of the replacement of Vehicle No. 802 by the Town Board, the Lancaster Volunteer Ambulance Corps, Inc., has proposed to obligate itself to a reduction of Town ambulance operational costs to zero over the next five (5) year period, and

WHEREAS, the Town Attorney has prepared an agreement between the Town of Lancaster and the Lancaster Volunteer Ambulance Corps, Inc. to this effect,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an agreement by and between the Lancaster Volunteer Ambulance Corps, Inc. and the Town of Lancaster, said agreement calling for the accelerated replacement of Ambulance Vehicle No. 802 by the Town of Lancaster in return for the Lancaster Volunteer Ambulance Corps, Inc. obligation to reduce operational costs to the Town of Lancaster General Fund to zero over the next five (5) year period.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR KEYSA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Liaison Committee of the Town Board of the Town of Lancaster was authorized by resolution dated June 4, 1984 to negotiate with the Village of Lancaster concerning the providing of building inspection services by the Building Inspection Department of the Town of Lancaster, with regard to new construction within the Village of Lancaster, on a temporary basis not to exceed one (1) year, at a rate of \$20.00 per hour, and

WHEREAS, the Liaison Committee has completed its negotiations with the Village Board of the Village of Lancaster, and the Town Attorney has prepared a contract between the Village of Lancaster and the Town of Lancaster for said temporary building inspection services,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute an agreement between the Town of Lancaster and the Village of Lancaster, providing for building inspection services by the Town Building Inspection Department with regard to new construction within the Village of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town of Lancaster, through the Lancaster Recreation Commission, has heretofore contracted with the Twin District Volunteer Fire Company, Inc. for playground facilities on its premises on Williams Street in the Town of Lancaster, for the year 1984, for its Summer Recreation Program, and

WHEREAS, the lease calls for payment by the Town of Lancaster to the Twin District Volunteer Fire Company, Inc., of the sum of One Thousand (\$1,000.00) Dollars for the construction of a shelter on the Twin District Volunteer Fire Company's premises, when such shelter is made available for the Summer Youth Recreation Program, and

WHEREAS, Councilman Kwak, Chairman of the Recreation Committee of the Town Board of the Town of Lancaster, by letter dated July 16, 1984, has notified the Town Board that the Twin District Volunteer Fire Company has erected such shelter and that such shelter is currently being used by the Town Recreation Department,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized and directed to pay the sum of One Thousand (\$1,000.00) Dollars to the Twin District Volunteer Fire Company, Inc., in accordance with the resolution adopted by the Town Board on September 13, 1983 and in accordance with the terms and conditions of a lease by and between the Town of Lancaster and the Twin District Volunteer Fire Company, Inc., dated October 21, 1983.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, a vacancy exists in the position of Senior Clerk Typist in the Highway Department of the Town of Lancaster, due to the resignation of JoAnn Deutschlander on June 4, 1984, and

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated June 19, 1984, has recommended to the Town Board the appointment of Carol A. Armstrong, 72 Wayne Street, Depew, New York 14043, to the position of Senior Clerk Typist in the Highway Department of the Town of Lancaster, effective August 13, 1984, and

WHEREAS, the Personnel Office of the County of Erie, by notification dated June 8, 1984, has informed the Supervisor of the Town of Lancaster that Carol A. Armstrong has qualified for appointment to the position of Senior Clerk Typist,

NOW, THEREFORE, BE IT

RESOLVED, that Carol A. Armstrong, 72 Wayne Street, Depew, New York 14043, be and is hereby appointed provisionally for an eight (8) week period to the position of Senior Clerk Typist in the Highway Department of the Town of Lancaster, effective August 13, 1984, at a salary of \$15,330.00 per year, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor for submission to the Erie County Department of Personnel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, it is anticipated that a temporary and possibly a permanent vacancy will exist in the position of Police Clerk in the Police Department of the Town of Lancaster, due to the transfer of Police Clerk, Carol A. Armstrong, on August 13, 1984, to the Town Highway Department position of Senior Clerk Typist, and

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated July 13, 1984, has recommended to the Town Board the contingent permanent appointment of Agnes A. Donner, 56 South Penora Street, Depew, New York 14043, to the position of Police Clerk in the Police Department of the Town of Lancaster, effective July 17, 1984, and

WHEREAS, the Personnel Office of the County of Erie, by notification dated July 10, 1984, has informed the Supervisor of the Town of Lancaster that Agnes A. Donner has qualified for appointment to the position of Police Clerk,

NOW, THEREFORE, BE IT

RESOLVED AS FOLLOWS:

SECTION 1: That Agnes A. Donner, 56 South Penora Street, Depew, New York 14043, be and is hereby granted a contingent permanent appointment to the position of Police Clerk in the Police Department of the Town of Lancaster for the period July 17, 1984 to October 8, 1984.

SECTION 2: That should a permanent vacancy exist in the position of Police Clerk by virtue of the granting of permanent status to Carol A. Armstrong in the position of Senior Clerk Typist in the Highway Department, then Agnes A. Donner be and is hereby granted a permanent, 26 week provisional appointment to the position of Police Clerk effective October 8, 1984.

SECTION 3: That the starting salary for this position be and is hereby set at \$11,177.50 per year and will be increased in accordance with the step increment resolution adopted by the Town Board on February 26, 1979.

SECTION 4: That the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor for submission to the Erie County Department of Personnel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has determined, upon the recommendation of the Property Manager of the Town of Lancaster and various department heads, that there are items of personal property owned by the Town of Lancaster which are no longer required for Town use and that such items are surplus to the needs of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Samuel L. Saeva, Property Manager of the Town of Lancaster, is hereby authorized and directed to sell the following items of Town property at public auction on August 11, 1984, at 10:00 o'clock A.M., Local Time, at the Lancaster Town Center, 525 Pavement Road, Lancaster, New York, to the highest bidder with the items and terms of said sale to be as follows:

1. Payment in full by the successful bidders shall be made at the time of sale in cash or by certified check only.
2. Items of personal property shall be sold as junk, as is, with no warranty whatever.
3. Items sold shall be removed from place of sale no later than 72 hours after sale.
4. Items to be sold:

<u>DESCRIPTION</u>	<u>MINIMUM BID PRICE</u>
1 - 1979 Ford Type 11 Van Ambulance, manufactured by the Wheeled Coach Corp., Orlando, Florida. V.I.N. S34AHEH9738. Vehicle for sale will be provided in "as is" condition minus all equipment, radios, oxygen bottles, cot or any other equipment not provided by the original equipment manufacturer. A copy of the original specification may be obtained by prospective bidders by contacting the Property Manager of the Town of Lancaster	To Be Announced \$ <u>At Time of Auction</u>
1 - 1980 Dodge Aspen 4 Door Sedan Police Car V.I.N. EH42LAA138630	\$ <u>1,000.00</u>
1 - 1982 Dodge Police Car V.I.N. 2B3BG26N3CR163336	\$ <u>2,300.00</u>

1 - 1982 Dodge Police Car V.I.N. 2B3BG26NICR163335	\$ <u>2,300.00</u>
1 - 1983 Dodge Police Car V.I.N. 2B3BG26S7DR184360	\$ <u>3,000.00</u>
1 - 1975 Dodge Pickup Truck V.I.N. D14BE55101492	\$ <u>700.00</u>
1 - 7.10 X 15 Summer Tire W/Rim	\$ <u>50.00</u>
3 - 7.50 X 16L7 Winter Tire	\$ <u>50.00 each</u>
1 - 38 X 20.00 Tractor Tire (John Deere)	\$ <u>50.00</u>
2 - 9.00 X 20 Snow Tires W/Rims (Budd)	\$ <u>50.00 each</u>
1 - 9.00 X 20 Summer Tire W/Rim	\$ <u>50.00</u>
8 - 11.00 X 20 Snow Tires (1 W/Rim Budd)	\$ <u>50.00 each</u>
5 - 11.00 X 20 Summer Tires	\$ <u>50.00 each</u>
1 - 14.00 X 24 Winter Tires (Budd)	\$ <u>50.00</u>
7 - 12.00 X 20 Winter Tires (1 W/Rim Budd)	\$ <u>50.00 each</u>
5 - 20.5X5 Ford Highlift Tires	\$ <u>100.00 each</u>
1 - 17.5X25 Trojan Highlift Tire	\$ <u>100.00</u>

Items not receiving the minimum bid price as stated herein will not be sold.

Appointments for inspection can be made with the Property Manager of the Town of Lancaster. Please allow 48 hours for a mutually agreeable appointment time.

and,

BE IT FURTHER

RESOLVED, that the Property Manager shall give Notice of such sale by publishing a Notice in the Lancaster Bee and any other local or trade publication that in the judgement of the Property Manager would entice and attract additional bidders, to the benefit of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, by memorandum dated July 13, 1984, and filed with the Town Clerk, the Chief of Police has informed the Town Board and the Public Safety Committee that the Lancaster Town Center was hit by lightning twice within a week and had been damaged by lightning on prior occasions as well, and that he and the Town Buildings Foreman have had extensive communications with recognized experts in the field of lightning strikes in order to provide not only immediate, but longlasting protection to the valuable electronic dispatch systems at the Lancaster Town Center, as well as the building sites themselves within the complex, and

WHEREAS, it is imperative that immediate action be taken without the need for public bid, all in accordance with Section 103(4) of the General Municipal Law, in order to protect the public property at the Lancaster Town Center, and health and safety of the inhabitants of the Town of Lancaster, and

WHEREAS, the Chief of Police has made an intensive survey of immediate and long term solutions to the problem of the recurring lightning strikes at the Lancaster Town Center,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the proposal of Motorola Communications and Electronics, Inc., dated July 5, 1984, to the Town of Lancaster, for providing lightning protection for the radio equipment and specified work on the transmission tower, at the Police Department, within the Lancaster Town Center Complex, for the sum of \$2,975.00, be and is hereby accepted.

2. That the proposal of Motorola Communications and Electronics Inc., dated July 9, 1984, to the Town of Lancaster, for providing lightning protection to the Public Works Garage, within the Lancaster Town Center Complex, for the sum of \$2,215.00, be and is hereby accepted.

3. That the Town Board of the Town of Lancaster hereby appropriates and authorizes to be spent the sum of \$5,000.00 by the Buildings Department of the Town of Lancaster to tie all necessary grounds at the Police and Public Works Garage at the Lancaster Town Center Complex, to their respective counterpoise systems.

4. That the Chief of Police of the Town of Lancaster be and is hereby authorized to negotiate, and the Supervisor of the Town of Lancaster be and is hereby authorized to execute a contract between the Town of Lancaster and HEARY BROS. LIGHTNING PROTECTION COMPANY, Moore Road, Springville, New York 14141, for the installation of a full lightning protection system for the the Police Building and Public Works Building at the Lancaster Town Center Complex, said contract cost not to exceed the total sum of \$14,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, James J. Moran, 160 South Forest Road, Williamsville, New York, has applied for a Dumping Permit for property situate at the Southwest corner of Broadway and Bowen Road, within the Town of Lancaster, pursuant to Chapter 22 of the Code of the Town of Lancaster, and

WHEREAS, the matter was referred by the Town Board to the Planning Board for review and recommendations, and

WHEREAS, the Planning Board has completed their review and made a formal recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that a Dumping Permit be issued by the Town Clerk of the Town of Lancaster to the applicant, James J. Moran, with the following conditions being made a part of the Dumping Permit, and the permit being issued on such conditions and upon the applicant signing an affirmation that he understands the conditions as set forth in this resolution and in the permit, and that he will adhere to such conditions as follows:

1. That only clean fill or bank-run fill is to be brought onto the dump site (no asphalt or concrete block or organic debris).
2. That the area is to be leveled daily to insure proper drainage.
3. That the stripped topsoil is not to be carried away or removed from the premises but to be stockpiled on the site.
4. That 30" high stakes are to be placed on the west and south property lines for proper height enforcement.
5. That dust control measures be taken by a daily watering of the dump site unless a one-half inch rain has fallen within the previous 24 hours.
6. That the property is to be graded at the specified elevations in accordance with the grading plan prepared by Richard Kent English, Engineer, dated July 1984 and filed in the Office of the Town Clerk.

7. The entire dumping operation must be completed by October 15, 1984 with the entire site respread with six inch depth top-soil, compacted to four inches and reseeded.
8. The permittee shall provide to the Town of Lancaster a Ten - Thousand (\$10,000.00) Dollar Performance Bond guaranteeing the faithful performance of the conditional provisions contained within this permit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 16, 1984

STATUS REPORT ON UNFINISHED BUSINESS;

1. Dumping Permit - Philip Antonicelli
On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner.
2. Dumping Permit - Lancaster Rural Cemetery Association
On November 21, 1983, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
3. Dumping Permit - James J. Moran
On July 2, 1984, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
On July 16, 1984, the Town Board authorized this permit subject to various conditions. The Town Clerk was directed to remove this item from future Town Board agendas.
4. Parking Study - Squirrel Run
On February 29, 1984, the Police and Safety Committee requested this item be added to the agenda for six month monitoring.
5. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1984.
6. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
7. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
8. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
9. Road Acceptance - Pasquale Drive
On November 21, 1983, Councilman Kwak requested a meeting to be held on December 5, 1983, at 6:45 p.m., to discuss and finalize this matter.
10. Traffic Study - Reconstruction, Genesee Street and Ransom Road
A pre-construction conference on this matter has been scheduled for June 11, 1984 at 7:30 p.m. in the Court Room at the Town Center.
11. Traffic Study - Signal, Bowen Road and Broadway
On February 28, 1984, the NYSDOT issued an order for the installation of a signal at this intersection.

12. Traffic Study - Signal, Bowen Road and William Street
On June 19, 1984, this matter was referred to the Police Chief for investigation and recommendation.
13. Traffic Study - Speed Reduction, Pavement Road
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
14. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.
15. Traffic Study - Speed Reduction, Re-Study Request, Como Park Blvd.
On July 2, 1984, the Town Board requested a re-study from NYSDOT.
16. Traffic Study - Speed Reduction, Steinfeldt Road
On July 10, 1984, the NYSDOT acknowledged receipt of the Town Boards request and indicated that a study will be completed as their caseload permits.

The Town Clerk was directed to add the following item to future Town Board agendas:

"Rezone Petition - Lura Ballagh"
"Special Use Permit - Lura Ballagh"

PERSONS ADDRESSING TOWN BOARD:

Mr. Richard Bulman, 24 Wildwood Drive, spoke with the Town Board at some length regarding the effect upon Town taxpayers of the Town's incentive program for retaining and attracting industry to the Township.

COMMUNICATIONS:

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DISPOSITION

450.	County Planning Division to Supervisor - Notice of completion of environmental review process for Town projects.	<u>BUILDING INSPECTOR</u> <u>HWY. SUPERINTENDENT</u> <u>HOWARD BENZEL</u>
451.	Chief of Police to Sen. Dale Volker - Request for aid regarding position of DCJS in Albany.	<u>R & F</u>
452.	Motorola to Police Chief - Transmittal of report and recommendations regarding additional lightning protection at Town Center.	<u>R & F</u>
453.	Motorola to Police Chief - Proposal for additional lightning protection for radio equipment and specified work on tower.	<u>R & F</u>
454.	Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 7/2/84.	<u>R & F</u>
455.	Town Clerk to Planning Board Chair. - Transmittal of Special Use Permit petition of Lura D. Ballagh.	<u>R & F</u>
456.	NYS DOT to Town Clerk - Notice that study of Steinfeldt Rd. will be completed as workload permits.	<u>COPY TO RESIDENTS</u> <u>REQUESTING STUDY</u>
457.	Town Clerk to Supervisor - Monthly report for June 1984.	<u>R & F</u>
458.	Highway Supt. to Town Attorney - Notification that Equipment Bond is no longer required for purchase of equipment.	<u>SUPERVISOR</u>
459.	Petroleum Security Corp. to Supervisor - Transmittal of data relative to company.	<u>TOWN ATTORNEY FOR</u> <u>RESOLUTION 8/6/84</u>
460.	<u>The UMRA News Journal</u> - Spring-Summer Edition.	<u>R & F</u>
461.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Copy of permit issued to Belltower Village Assoc., Ltd.	<u>TOWN ATTORNEY</u> <u>BLDG. INSPECTOR</u>
462.	Lancaster V.F.W. to Supervisor - Request Town fly flag at half-mast on 7/20/84 in commemoration of National POW/MIA Recognition Day.	<u>R & F</u>
463.	Lovell Safety Management Co. to Supervisor - Status of law suit to prevent taking of \$190 million from State Insurance Fund's surplus.	<u>R & F</u>
464.	Planning Board Chair. to Town Board - Notice of approval of James J. Moran Dumping Permit with stipulations.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u>
465.	Planning Board to Town Board - Minutes from meetings held 6/6/84 and 7/11/84.	<u>R & F</u>
466.	Planning Board Chair. to Town Board - Recommendation of approval of rezone petition of Lura Ballagh.	<u>TOWN ATTORNEY FOR</u> <u>SEQR ACTION</u>

COMMUNICATIONS CONT'D.:

Page 396
DISPOSITION

467.	Asst. Building Inspector to Town Clerk - Approval of renewal license for Wehrle Drive-In Theatre.	<u>R & F</u> _____ _____
468.	Receiver of Taxes to Town Board - Report of 1984 Town and County taxes as of 6/30/84.	<u>R & F</u> _____ _____
469.	Supervisor to Lancaster Village Mayor - Draft of proposed contract for buildings inspection services.	<u>R & F</u> _____ _____
470.	Supervisor to Town Board - Request David Brown's salary be raised to 100% level effective 7/16/84.	<u>R & F</u> _____ _____
471.	Lancaster July Fourth Celebration Committee to Supervisor - Expression of thanks for participation and support.	<u>R & F</u> _____ _____
472.	NYS DOT to County Clerk - Transmittal of transcript of public hearing held on 6/11/84 regarding Genesee St. and Ransom Rd. intersection.	<u>R & F</u> _____ _____
473.	Ambulance Board Chair. to Town Board - Request public auction for Vehicle 802.	<u>R & F</u> _____ _____
474.	Ambulance Board Chair. to Town Board - Recommendation of four new members to LVAC.	<u>R & F</u> _____ _____
475.	Police Chief to Councilman Czapla - Request appointment of Arlene Mertzluft to position of Sr. Clerk-Typist.	<u>R & F</u> _____ _____
476.	Police Chief to Councilman Czapla - Comments and requests concerning Police Clerk appointment.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u> _____

The Supervisor requested a suspension of the necessary rule for
immediate consideration of the following communications -
SUSPENSION GRANTED.

477.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Determination regarding SPDES Permit for Lura Ballagh.	<u>TOWN ATTORNEY FOR</u> <u>REVIEW</u> _____ _____
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ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

EDWARD GANGLOFF ✓
WALTER MACIUBA
EDWARD SCHNEIDER
TERRY PORTER

Signed

Robert P. Thill
Robert P. Thill, Town Clerk